

**U.S. Department of the Interior  
Bureau of Land Management**

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**Environmental Assessment**

**June 4th, 2012**

**PREPARING OFFICE**

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# **Environmental Assessment: : Gooch Road Right-of-Way**

**June 4th, 2012**

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# **Chapter 1. Introduction**

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## **1.1. Background:**

The purpose of the Environmental Assessment (EA) is to disclose and analyze the environmental consequences of authorizing a right-of-way (ROW) for ingress and egress. The EA is a site-specific analysis of potential impacts that could result with the implementation of the alternatives. The EA assists the Bureau of Land Management (BLM) in project planning and ensuring compliance with the National Environmental Policy Act (NEPA), and with other laws and policies affecting the alternatives. If the decision maker determines that this project has “significant” impacts following the analysis in the EA, then an Environmental Impact Statement (EIS) will be prepared for the project. If not, a Finding of No Significant Impact (FONSI) statement will be prepared, documenting the reasons why implementation of the selected alternative would not result in “significant” environmental impacts.

### **1.1.1. Location of Proposed Action:**

The ROW would be located within Modoc County, California, approximately 5 miles northeast of Fort Bidwell, California:

Mount Diablo Meridian

T. 46 N., R. 16 E., sec. 1. SE1/4, NW1/4.

### **1.1.2. Identify the subject function code, lease, serial, or case file number:**

Case file number: CACA-53354

### **1.1.3. Applicant Name:**

Ben and Sara Gooch

## **1.2. Purpose and Need for Action:**

The primary purpose of the Proposed Action is to grant a right-of-way to Ben and Sara Gooch for the construction and maintenance of an access road to their private property.

The proposed project is needed so that the private property owners can gain legal access to their property.

The need for this EA is to ensure any proposed ROW is consistent with the Surprise RMP and applicable laws and regulations.

## **1.3. Decision to be Made**

This EA discloses the environmental consequences of implementing the Proposed Action or an alternative to that action. The FONSI describes the finding of the analysis in this EA. The BLM, Surprise Field Office Manager is the Authorized Officer. His decision and the rationale for that decision will be stated in Decision Record (DR). Based on the information provided in this EA,

the Authorized Officer will decide whether to grant a ROW with appropriate mitigation measure, or whether to reject it.

## **1.4. Scoping, Public Involvement and Issues:**

The BLM Surprise Field Office conducted internal scoping with an interdisciplinary team of specialists as well as coordination and scoping with the local tribes.

## **1.5. Plan Conformance**

This proposed action is subject to the following use plan(s): Surprise Resource Management Plan (RMP) and Record of Decision (ROD), approved on April 17, 2008. The proposed action has been determined to be in conformance with this plan as required by regulation (43 CFR 1610.5-3(a)).

## **1.6. Relationship to Statutes, Regulations, and Plans**

### **Cultural Resources**

The cultural resource component is covered by several legislative authorities including Section 106 of the National Historic Preservation Act of 1966 as amended (NHPA), the Archaeological Resources Protection Act (ARPA), the American Indian Religious Freedom Act and Executive Order (E.O.) 13007, and the Native American Grave Protection and Repatriation Act (NAGPRA). Cultural resources within the Proposed Action also fall under purview of the State Protocol Agreements between BLM Nevada and Nevada SHPO (2009c), and BLM California and California and Nevada SHPO (2007).

### **Threatened or Endangered Species**

The Endangered Species Act of 1973 (ESA) requires federal agencies to complete formal consultation with the U.S. Fish and Wildlife Service (FWS) for any action that “may affect” federally listed species or critical habitat. The ESA also requires federal agencies to use their authorities to carry out programs for the conservation of endangered, threatened and candidate species. There are no threatened and endangered (T&E) species within the Project Area. In March 2010, the USFWS announced its listing decision for the Greater sage-grouse (*Centrocercus urophasianus*) as “warranted but precluded”. Candidate species designation means the USFWS has sufficient information on biological vulnerability and threat(s) to support issuance of a proposed rule to list, but issuance is precluded by higher priority listing actions. At this time the species is officially considered a Candidate Species, but does not receive statutory protection under the ESA. Individual states continue to be responsible for managing sage-grouse. “Candidate species and their habitats are managed as Bureau sensitive species”, (BLM Manual 6840, December 2008).

### **Supplemental Agreement between State Director and State Historic Preservation Officer Protocol Amendment for Renewal of Grazing Leases**

In August 2004, the State Director, California Bureau of Land Management, and the California State Historic Preservation Officer (SHPO) addressed the issue of the National Historic Preservation Act (NHPA) Section 106 compliance procedures for processing grazing permit lease renewals for livestock as defined in 43 CFR 4100.0-5. The State Director and the SHPO amended

the 2004 State Protocol Agreement between California Bureau of Land Management and The California State Historic Preservation Officer with the 2004 Grazing Amendment, Supplemental Procedures for Livestock Grazing Permit/Lease Renewal. This amendment allows for the renewal of existing grazing permits prior to completing all NHPA compliance needs as long as the 2007 State Protocol direction, the BLM 8100 Series Manual Guidelines, and specific amendment direction for planning, inventory methodology, tribal and interested party consultation, evaluation, effect, treatment, and monitoring stipulations are followed.

#### BLM Standards and Guidelines for Livestock Grazing Management

The Record of Decision was signed in July 2000 for the EIS documenting the effects of adopting regional Standards for Rangeland Health and Guidelines for Livestock Grazing Management on BLM-administered lands in parts of California and northwest Nevada. The Record of Decision covers that part of California and Nevada formerly known as the Susanville District. Standards were established for Upland Soils, Streams, Water Quality, Riparian, Wetland Sites and Biodiversity. Guidelines for livestock grazing were developed to ensure that standards are met or that significant progress is made toward meeting the standards.

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## **Chapter 2. Proposed Action and Alternatives**

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## **2.1. Alternative 1 – Proposed Action:**

The Proposed action is to grant Ben and Sara Gooch a right-of-way (ROW) for building and maintaining a 20foot wide by 500 foot long road across BLM lands to access their private property. Out of the proposed 500 feet, 200 feet would utilize an existing road and 300feet would require a new road. The road is located off of County Road 1 northeast of Fort Bidwell, CA.

The construction would begin approximately at the beginning of June and would take two months to complete. This road would be graveled after construction to help prevent erosion. Related facilities within the ROW would be two small berms on the outer edge of the road. The use of heavy machinery would be needed for construction and would include grading and excavation equipment. All equipment would be staged on the adjacent property.

All shrubs and plants in the ROW would be removed during the construction process and dumped onto the private property of Ben and Sara Gooch. The area of disturbance would not exceed the 20 foot width. Any excess mineral materials would be placed on the private property.

The ROW would be granted for a term of 20 years with the right to renew. During this time it is expected that the maintenance of the road would require regrading on a five to seven year time frame. The total area of public land involved would be approximately 0.23 acres

## **2.2. Alternative 2 – No Action**

Under this alternative the BLM would deny the ROW application and Ben and Sara Gooch would not have access across BLM lands to their private property.

## **2.3. Other Alternatives considered but dismissed after further analysis**

Ben and Sara Gooch explored placing the ROW in a straight line off of County Road 1. This was dismissed since it would have created more new disturbance and steeper topography to traverse. The alternative to use private land easements to access the property were also analyzed but dismissed due to permissions from adjacent land owners.

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# **Chapter 3. ENVIRONMENTAL ANALYSIS**

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The affected environment is described below followed by the environmental consequences for each resource.

**Table 1- Resources Potentially Affected by Implementation of the Proposed Action and Supplemental Authorities to be considered**

Determination of STAFF:

NP = not present in the area impacted by the proposed or alternative actions

NI = present, but not affected to a degree that detailed analysis is required

PI = present with potential for relevant impact that need to be analyzed in detail in the EA

**Table 3.1.**

Determination	Resource	Rationale for Determination
NI	Air Quality	Construction will cause dust but not at the level to have any potential negative impacts.
NP	Areas of Critical Environmental Concern	There are no ACECs located within the Project Area.
NP	BLM Natural Areas	There are no BLM Natural Areas located within the Project Area.
NP	Cultural Resources National Historic Preservation Act, as amended (16 USC 470)	There are no Cultural Resources located within the Project Area.
NI	Greenhouse Gas Emissions & Global Climate Change	Construction will cause exhaust but not at the level to have any potential negative impacts.
NP	Environmental Justice E.O. 12898, "Environmental Justice" February 11, 1994	Implementation of the Proposed Action would not disproportionately affect low income or minority populations.
NP	Farmlands (Prime or Unique)	There are no Prime or Unique farmlands located within the Project Area. Relevant discussion pertaining to Grazing Lands is included within <b>Section 3.2</b>
NP	Floodplains E.O. 11988, as amended, Floodplain Management, 5/24/77	There are no floodplains located within the Project Area.
NP	Fuels/Fire Management	No fuels or fire issues
NP	Geology / Mineral Resources/Energy Production	No geological, mineral, or energy issues present
PI	Invasive Species/Noxious Weeds	Invasive species and noxious weeds are present and will be affected in the Project Area.
NI	Lands/Access	One other ROW is present on the same existing road. This ROW holder has been notified and is supportive of the proposed action.

PI	Livestock Grazing	Analyses of the potential for the Proposed Action to result in environmental effects related to livestock grazing are presented in <b>Section 3.2.</b>
NP	Migratory Birds.	
NI	Native American Religious Concerns	No expressed concerns from the local tribes.
NP	Paleontology	There are no Paleontological Resources located in the Project Area.
NI	Recreation	No recreation issues.
PI	Socio-Economics	Analyses of the potential for the Proposed Action to result in environmental effects related to Socio-Economics are presented in <b>Section 3.3.</b>
PI	Soils	Analyses of the potential for the Proposed Action to result in environmental effects related to Soils are presented in <b>Section 3.4.</b>
NI	Threatened, Endangered or Candidate Plant Species	Analyses of the potential for the Proposed Action to result in environmental effects related to vegetation are presented in <b>Section 3.6.</b>
NP	Threatened, Endangered or Candidate Animal Species	No T&E or Candidate Species are present within the Project Area.
NI	Wastes  (hazardous or solid)  Resource Conservation and Recovery Act of 1976 (43 USC 6901 et seq.) Comprehensive Environmental Repose Compensation, and Liability Act of 1980, as amended (43 USC 9615)	Implementation of the Proposed Action would not result in hazards materials/waste exposure to people or the environment, nor would implementation result in effects related to solid waste.
NI	Water Resources/Quality (drinking/surface/ground)  Safe Drinking Water Act, as amended (43 USC 300f et seq.) Clean Water Act of 1977 (33 USC 1251 et seq.)	
NP	Wetlands/Riparian Zones  E.O. 11990 Protection of Wetlands 5/24/77	No Wetland/Riparian Zones are within the Project Area.
NP	Wild and Scenic Rivers  (Wild and Scenic Rivers Act, as amended (16 USC 1271)	
NP	Wilderness/WSA  Federal Land Policy and Management Act of 1976 (43 USC 1701 et seq.); Wilderness Act of 1964 (16 USC 1131 et seq.)	



NP	Woodland / Forestry	
PI	Visual Resources	Analyses of the potential for the Proposed Action to result in environmental effects related to Visual Resources are presented in <b>Section 3.5</b> .
NI	Wild Horses and Burros	No recreation issues.
NP	Areas with Wilderness Characteristics	

Interdisciplinary Team Review and Supplemental Authorities: The affected environment of the project area was described by an interdisciplinary Team Analysis Record Checklist. A copy of this checklist is attached to this EA. The Checklist indicates which resources are either not present in the project area or would not be impacted to a degree that requires detailed analysis. Supplemental Authorities are those elements that are subject to the requirements specified in statute, regulation, or executive order, and may be considered in EAs (BLM H-1790-1 Appendix 1). Supplemental Authorities are included in the checklist. Resources potentially affected are described in Chapter 3 and impacts on these resources are analyzed in Chapter 4.

### 3.1. Cultural Resources

#### A. Affected Environment

There are no known Cultural Resources located within one mile of the Project Area. A Cultural Resources survey was conducted May 8, 2012 and no Cultural Resources were located within the Project Area.

#### B. Environmental Consequences

##### **1. Impacts of Alternative 1 – Proposed Action**

There will be no impact to Cultural Resources under Alternative 1.

##### **2. Impacts of Alternative 2 – No Action**

There will be no impact to Cultural Resources under Alternative 2.

#### **Mitigation**

No mitigation would be required under either alternative for Cultural Resources.

### 3.2. Livestock Grazing

#### A. Affected Environment

Currently there are three permittees authorized to graze in the East Allotment. The current management plan authorizes a total of 316 cattle to utilize 510 Animal Unit Months (AUMs) on the allotment from May 1 to June 30. There are no internal pastures or fences on public lands, due to the small size of the allotment. In recent years, the BLM has allowed reservoirs to be built and spring improvements to be maintained in order to better disperse water in the allotment. In the past utilization levels have been generally light on the uplands.

#### B. Environmental Consequences

### **1. Impacts of Alternative 1 – Proposed Action**

The proposed access road would have minor impacts to livestock grazing as this area of the allotment contains no livestock water and livestock rarely use this area. Most of the use in the proposed area is from livestock trailing along County Road 1. Also the proposed disturbed area is less than  $\frac{1}{4}$  of an acre so the amount of livestock forage lost is insignificant. The construction is scheduled to take two months starting in June and livestock are removed from this allotment at the end of June so the overall impacts to livestock grazing would be minor.

### **2. Impacts of Alternative 2 – No Action**

Not implementing this action would have no adverse effects on livestock grazing.

#### **Mitigation**

No mitigation would be required under either alternative for livestock grazing.

## **3.3. Social and Economic Values**

### A. Affected Environment

The Surprise Valley is a rural community with a strong commitment to its surrounding resources. The Surprise Valley has two primary bases to its local economy; traditional cattle ranching and agriculture and tourism. Many ranches in the area are adjacent or isolated to public lands and require a right-of-way to obtain legal access to their property. There are many ROWs that exist in the vicinity of the proposed action including a portion of the road that is already an established ROW to a private residence. Ranchers and local resident need these ROWs in order to build homes and develop their private lands.

### B. Environmental Consequences

#### **1. Impacts of Alternative 1 – Proposed Action**

The proposed access road will provide the applicant with legal access to their private lands. This will allow them the option of developing it. The development could include a house, outbuildings and pastures. The establishments of these facilities would have a positive effect on the local economy by adding new opportunities for development.

#### **2. Impacts of Alternative 2 – No Action**

Under this alternative the proposed action would not occur and the applicant would not be able to build the ROW. This would mean that there would be no new developments until the applicant could find an alternate route to access their property.

## **3.4. Soils**

### A. Affected Environment

The soil classification for the project area is contained in the Surprise Valley/Home Camp Soil Survey, CA #685 order III soil survey. The soil survey was updated in 2006 by the Natural Resources Conservation Service (NRCS), Reno State Office and can be on the NRCS web site.

Soils in the Project Area are generally derived from alluvium from mixed igneous and sedimentary rock. Landscape positions within the project area are breach terraces and alluvium fans. These soils are a mix of gravelly, and sandy loams that are well drained, have low runoff and low ponding potential. Soil series includes the Gorzell and Saraph. Vegetation associated with these soils is primarily Wyoming or basin big sagebrush, grasses include, POA species, wheatgrasses, needlegrass, and Indian Ricegrass.

## B. Environmental Consequences

### **1. Impacts of Alternative 1 – Proposed Action**

Soils within the project area have very high percentages of gravel, sand, and stone content, and consequently suitable for road construction. Runoff the proposed road would be low, as these soils have high permeability rates, low ponding potential, and off-site erosion potential would also be low. The proposed action would have little or no impacts to soils adjacent to the ROW.

### **2. Impacts of Alternative 2 – No Action**

Under this alternative the proposed action would not occur and the applicant would not construct the road within the ROW. There would be no new developments until the applicant could find an alternate route to access their property.

## **3.5. Visual Resources**

BLM's Visual Resource Management (VRM) system provides a way to identify and evaluate scenic values to determine the appropriate levels of management. It also provides a way to analyze potential visual impacts and apply visual design techniques to ensure that surface-disturbing activities are in harmony with their surroundings. The VRM system is categorized as follows:

Class I Objective: To preserve the existing character of the landscape. The level of change to the characteristic landscape should be very low and must not attract attention.

Class II Objective: To retain the existing character of the landscape. The level of change to the characteristic landscape should be low.

Class III Objective: To partially retain the existing character of the landscape. The level of change to the characteristic landscape should be moderate.

Class IV Objective: To provide for management activities which require major modification of the existing character of the landscape. The level of change to the characteristic landscape can be high.

### A. Affected Environment

The project location occurs in class II. Visual Resources in the Project Areas are generally associated with agriculture and open land. The south and west views include the community of Ft. Bidwell as well as a lot of developed farm land, where the north and eastern views encompass raw bare land which is primary public.

## B. Environmental Consequences

### **1. Impacts of Alternative 1 – Proposed Action**

The project falls in an area that has a Class II objective: “To retain the existing character of the landscape. The level of change to the characteristic landscape should be low.” The proposed project will introduce minor contrasting elements of form, line, color, and texture. However the level of modification to the landscape should be low. The visual impacts to the proposed road will have an impact to the visual resources however the impacts are minimal due to the proximity to other present features, County Road 1 and other existing roads. Impacts from the proposed project will be negligible to VRM.

## **2. Impacts of Alternative 2 – No Action**

Not implementing this action would have no adverse effects on Visual Resources.

## **3.6. Wildlife**

### A. Affected Environment

The ROW area represents a small portion of sagebrush habitat that could periodically support sage-steppe species. Surveys of the ROW did not detect any wildlife species besides black tailed jackrabbits and the habitat within the area does not represent high value wildlife habitat due to the presence of a cheatgrass dominated understory that provides little value to wildlife and very little diversity within the area.

### B. Environmental Consequences

#### **1. Impacts of Alternative 1 – Proposed Action**

Less than one quarter acre of habitat will be permanently lost as a result of the proposed action however these impacts are expected to be minor due to the small nature of the ROW in comparison to the overall extent of the same surrounding habitat adjacent to the ROW and the lack of current wildlife use of the area. Implementing the proposed action would only have slight negative effects related to wildlife.

#### **2. Impacts of Alternative 2 – No Action**

Under the No Action Alternative, the ROW would not be authorized and there would no impacts relating to wildlife.

#### **Mitigation**

No mitigation is proposed.

## **3.7. Vegetation**

### A. Affected Environment

The plant community that is present within the ROW is a sagebrush community with a cheatgrass understory. These types of plants communities are at-risk communities due to the cheatgrass composition. While sagebrush is the dominant vegetation, perennial bunchgrasses are expected to exist within the site. Perennial grasses are nearly absent within the site, indicating the site is already degraded and is not an intact and functioning vegetation community.

### B. Environmental Consequences

### **1. Impacts of Alternative 1 – Proposed Action**

Vegetation would be permanently lost on less than one quarter acre as a result of the proposed action however these impacts are expected to be minor due to the small nature of the ROW in comparison to the overall extent of the same surrounding plant communities adjacent to the ROW. Implementing the proposed action would not result in any substantial loss of this plant community type and overall impacts relating to vegetation would be slightly negative.

### **2. Impacts of Alternative 2 – No Action**

Under the No Action Alternative, the ROW would not be authorized and there would no impacts relating to vegetation resources.

#### **Mitigation**

No mitigation is proposed.

## **3.8. Noxious Weeds/Vegetation:**

### A. Affected Environment

The plant community that is present within the ROW is a sagebrush community with a cheatgrass understory. These types of plants communities are at-risk communities due to the cheatgrass composition and are prone to noxious weed invasion. There are no noxious weeds present at the site at this time. Equipment used for building the ROW will be weed washed prior to entry into the work site and after construction of the ROW. After construction of the ROW, the ROW will be inventoried for noxious weeds. Any weeds discovered will be treated and eradicated.

### B. Environmental Consequences

#### **1. Impacts of Alternative 1 – Proposed Action**

Vegetation would be permanently lost on less than one quarter acre as a result of the proposed action which could allow for weed invasion within the disturbed area. These impacts are expected to be minor due to the small nature of the project and design features that minimize the chance of weed introduction and invasion. Implementing the proposed action would slightly increase the chance of weed invasion due to loss of native vegetation and impacts would be slightly negative.

#### **2. Impacts of Alternative 2 – No Action**

Under the No Action Alternative, the ROW would not be authorized and there would no impacts relating to noxious weeds.

#### **Mitigation**

No mitigation is proposed.

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# **Chapter 4. OVERALL CUMULATIVE IMPACTS**

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Cumulative impacts are the “incremental impacts of a proposal when added to other past, present, and reasonably foreseeable future actions, regardless of which agency or person undertakes them” (40 Code of Federal Regulations 1508.7)

Several ROW grants have been completed in the immediate area and have had no adverse effects on the resources in the area. On BLM lands, over 65 ROWs exist in the Surprise Resource area. The Cumulative impacts of the proposed action, when considered in relationship to other land uses in the area, both existing and planned would be minor in nature.

## **Cumulative Impacts to Affected Resources**

### **4.1. Cultural Resources**

Right-of-ways (ROW) on federal lands would have minor to major cumulative effects to cultural and paleontological resources as a result of: increased disturbance which acts to move surface Paleontological and Cultural Resources from their depositional context. However due to the size of this ROW and the lack of presence of paleontological or cultural resources, there are no significant individual or cumulative effects anticipated as a result of the proposed action.

### **4.2. Livestock Grazing**

Grazing systems and the installation of new roads could potentially result in changes in the landscape that can be utilized. However due to the size of the proposed road there are no significant individual or cumulative effects anticipated as a result of the proposed action.

### **4.3. Social and Economic Values**

Social and economic values would be positive due to the establishing of legal access to private lands in the community. This private land would be opened up to development and cultivation for the current applicant. Due to the size of the proposed road there are no significant individual or cumulative effects anticipated as a result of the proposed action.

### **4.4. Soils**

Due to the size of the proposed road there are no significant individual or cumulative effects anticipated as a result of the proposed action.

### **4.5. Visual Resources**

Adding a road to public lands would have minor effects on the visual resources in the area. However due to the proximity of the road to dwellings and other established roads and the size of the proposed road there are no significant individual or cumulative effects anticipated as a result of the proposed action.

## **4.6. Wildlife**

Removal of habitat would have a minor effect on wildlife. Wildlife could be dispersed and displaced from the area. However due to the size of the proposed road there are no significant individual or cumulative effects anticipated as a result of the proposed action.

## **4.7. Vegetation**

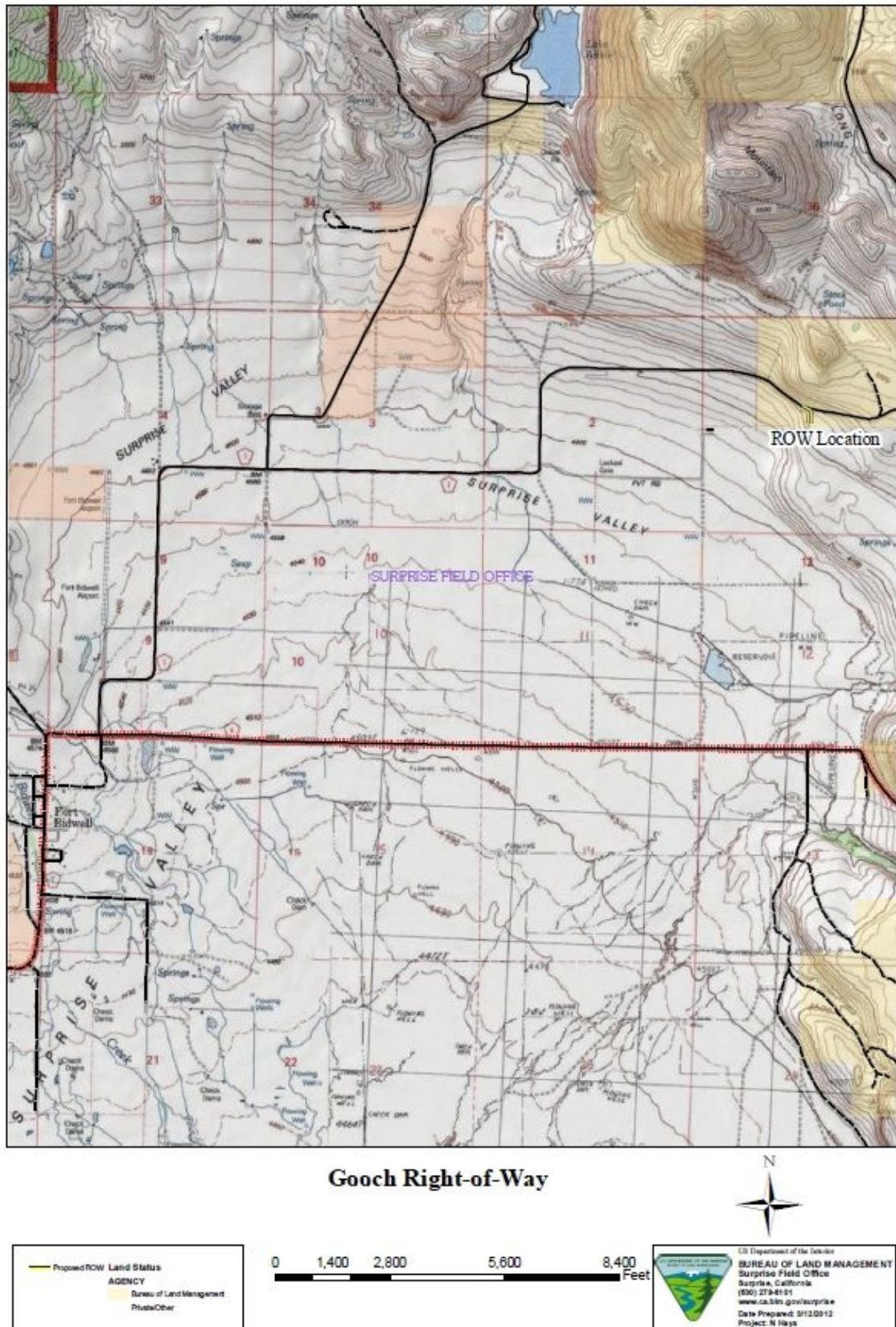
Removal of vegetation would have minor effects on vegetation however due to the size of the proposed road there are no significant individual or cumulative effects anticipated as a result of the proposed action.

## **4.8. Noxious Weeds**

Due to the size of the proposed road there are no significant individual or cumulative effects anticipated as a result of the proposed action.

# Chapter 5. Map

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**Figure 5.1. Overview Map**

June 4th, 2012

Chapter 5 Map

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## **Chapter 6. CONSULTATION AND COORDINATION/PREPARERS**

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**Interested Parties Scoped with:**

Cedarville Rancheria

Fort Bidwell Tribal Council

Summit Lake Paiute Tribal Council

**Table 6.1. List of Persons, Agencies and Organizations Consulted**

<b>Name</b>	<b>Resource/Activities</b>	<b>Project Role</b>
<b>Dan Ryan</b>	<b>Land and Minerals, Visual Resources, Global Climate Change, Socio-Economics</b>	<b>EA Preparer</b> <b>Interdisciplinary Team</b>
<b>Julie Rodman</b>	<b>Cultural Resources</b>	<b>EA Preparer</b> <b>Interdisciplinary Team</b>
<b>Scott Soletti</b>	<b>Vegetation /Noxious Weeds/ Wildlife/T&amp;E</b>	<b>EA Preparer</b> <b>Interdisciplinary Team</b>
<b>Steve Surian</b>	<b>Livestock Management/Soils/Socio-Economics</b>	<b>EA Preparer</b> <b>Interdisciplinary Team</b>
Roger Farschon	EA Review	EA Preparer/Reviewer